

*La Michoacana Natural, LLC v. Luis Maestre, et al.*  
U.S. District Court for the Western District of North Carolina  
Charlotte Division  
Case No. 3:17-cv-00727-RJC-DCK

**EXHIBIT 2**

**DECLARATION OF LAURA L. CHAPMAN**

**Transcript of Bench Trial Before  
The Honorable Rudolph Contreras, United States District Judge  
September 25, 2015, 10:00 A.M.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

PALETERIA LA MICHOACANA, INC., ) Civil Action  
) No. 11-1623 (RC)  
Plaintiff, )  
) BENCH TRIAL DAY 9  
vs. ) AM SESSION  
)  
PRODUCTOS LACTEOS TOCUMBO ) Washington, DC  
S.A. DE C.V., ) September 25, 2015  
) Time: 10:00 a.m.  
Defendant. )  
AND CROSS-RELATED ACTION )

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TRANSCRIPT OF BENCH TRIAL DAY 9 - AM SESSION  
HELD BEFORE  
THE HONORABLE JUDGE RUDOLPH CONTRERAS  
UNITED STATES DISTRICT JUDGE

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A P P E A R A N C E S

For the Plaintiff: Laura L. Chapman, Esq.  
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Proceedings reported by machine shorthand, transcript  
produced by computer-aided transcription.

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Court Reporter: Annette M. Montalvo, CSR, RDR, CRR  
Official Court Reporter  
United States Courthouse, Room 6722  
333 Constitution Avenue, NW  
Washington, DC 20001  
202-354-3111

1           Now, I know that styles of attorneys may vary. I  
2 am sure you have seen even myself demonstrate a significant  
3 range between very calm and cool to very aggressive in  
4 questioning witnesses. But I felt that Ms. Chapman's  
5 aggressive tone went a little too far, and I think that the  
6 questioning in areas being well beyond the scope and  
7 involving which sister tells him things that Ignacio had  
8 admitted --

9           THE COURT: That was my question.

10          MR. ANDERSON: Understood. But that also caused  
11 my clients to think maybe this Court has already  
12 demonstrated a preliminary opinion, that, again, your  
13 question was certainly, in our opinion, extremely irrelevant  
14 to the issues because --

15          THE COURT: As I said yesterday, it was to  
16 determine whether it was hearsay. Without knowing who said  
17 it, I could not determine whether it was hearsay.

18          MR. ANDERSON: Fair enough. But, again --

19          THE COURT: And once everyone agreed it was  
20 hearsay, we let it go, and he never had to answer it.

21               Now, with respect to the record on ferocity,  
22 Ms. Chapman's ferocity, if that's what you would call, pales  
23 in comparison to the ferocity you have exhibited on occasion  
24 in this trial. So I want the record to be perfectly clear  
25 on this issue because sometimes you try to create an

1 alternate universe of what has happened in this courtroom,  
2 and that is an instance.

3 With respect to the line of questioning, that was  
4 classic -- this was a witness that you sponsored as having  
5 no dog in this fight. Those were your exact words. And she  
6 turned that witness into supporting some of her points in  
7 this case. That was fair game, and that's all she did. She  
8 did not -- they were all issues that have been raised in  
9 this case, as to chunks and whether someone's associating  
10 themselves with Mexico inappropriately, even though if it is  
11 things that had been made in this country. It was all fair  
12 game. So I don't want you to create -- try to create an  
13 alternate universe about what that was all about.

14 MR. ANDERSON: Well, I'd ask that that box that I  
15 have just shown the Court become part of the record because,  
16 quite frankly, I do not believe there's misrepresentations  
17 about the source, origin, or quality or characteristics of  
18 it, and the Court's going to make its own findings.

19 THE COURT: That's exactly right.

20 MR. ANDERSON: And it seems like the Court is  
21 already making some findings.

22 THE COURT: That's your argument; she has a  
23 different argument. And based on the evidence, we will  
24 decide all those issues.

25 MR. ANDERSON: And, again, I disagree with the

1 UNITED STATES DISTRICT COURT )  
2 ) ss.  
3 DISTRICT OF COLUMBIA )  
4

5 REPORTER'S CERTIFICATE  
6  
7

8 I, ANNETTE M. MONTALVO, do hereby certify that the  
9 above and foregoing, consisting of the preceding 124 pages,  
10 constitutes a true and accurate transcript of my  
11 stenographic notes and is a full, true and complete  
12 transcript of the proceedings to the best of my ability.

13 Dated this 26th day of September, 2015.  
14

15 /s/Annette M. Montalvo\_\_\_\_\_  
16 Annette M. Montalvo, CSR, RDR, CRR  
17 Official Court Reporter  
18 United States Courthouse  
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